



APPLICATION ACCEPTED: May 30, 2013  
BOARD OF ZONING APPEALS: October 9, 2013\*  
Moved for Notice Requirements  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

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October 2, 2013

### STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-SU-040

### SULLY DISTRICT

**APPLICANT:** Lorena S. Dennehy  
**SUBDIVISION:** Little Rocky Run  
**STREET ADDRESS:** 13921 Waterflow Place, Centreville, 20121  
**TAX MAP REFERENCE:** 65-2 ((3)) (16) 46  
**LOT SIZE:** 1,650 square feet  
**ZONING DISTRICT:** R-8, WS  
**ZONING ORDINANCE PROVISIONS:** 8-301  
**SPECIAL PERMIT PROPOSAL:** To permit a home child care facility.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2013-SU-040 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

*O:\rhorne\Special Permits\Dennehy\Staff Report Dennehy Home Daycare.doc Rebecca Horner*

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The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

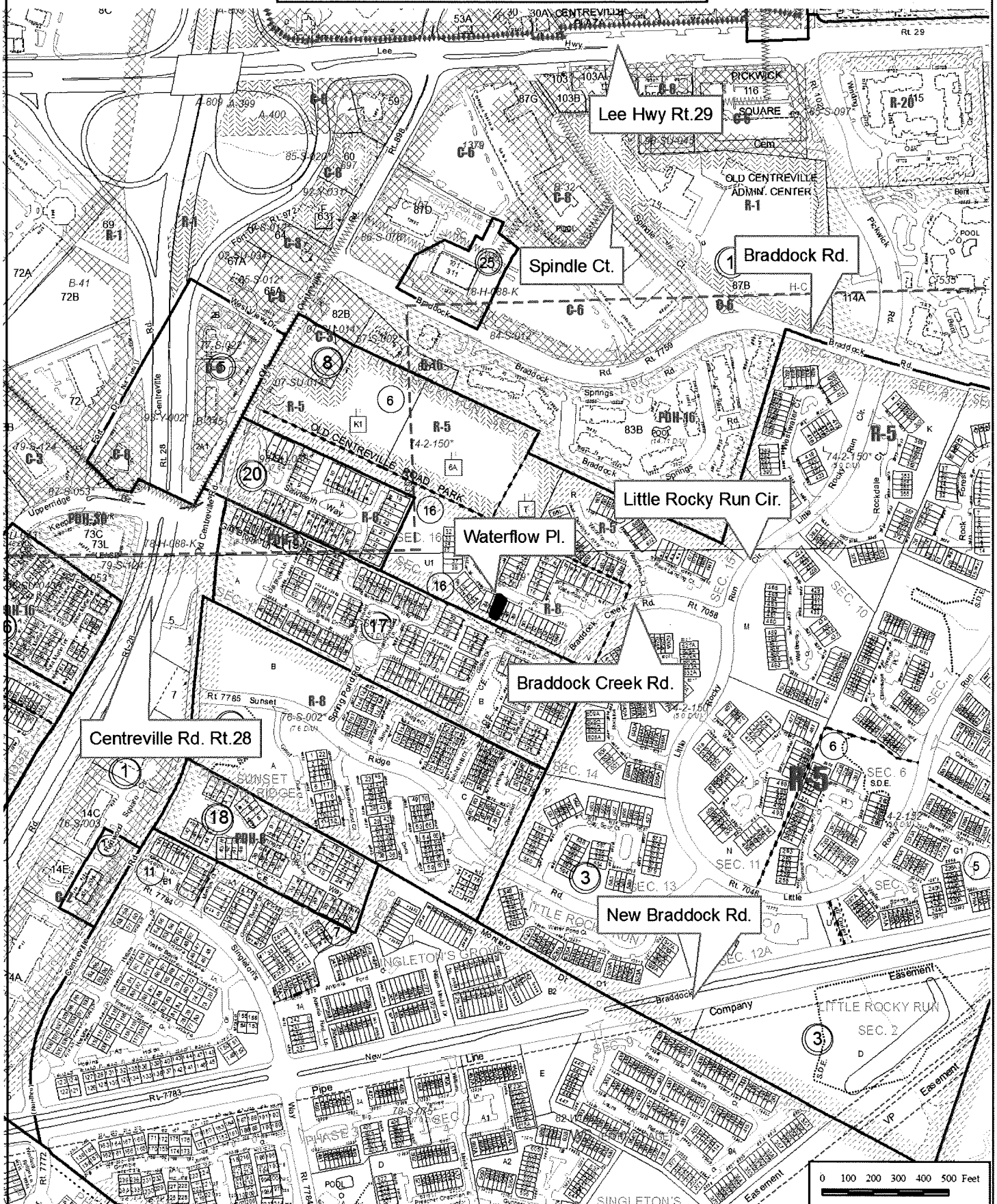
# Special Permit

SP 2013-SU-040  
LORENA S DENNEHY



# Special Permit

SP 2013-SU-040  
LORENA S DENNEHY

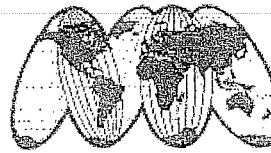


PROPERTY REPORT  
 LOT 46 SECTION 16  
**LITTLE ROCKY RUN**  
 FAIRFAX COUNTY, VIRGINIA

JOB NUMBER: 07-0279

SCALE: 1"=20'  
 CASE NO.: 36031

THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.



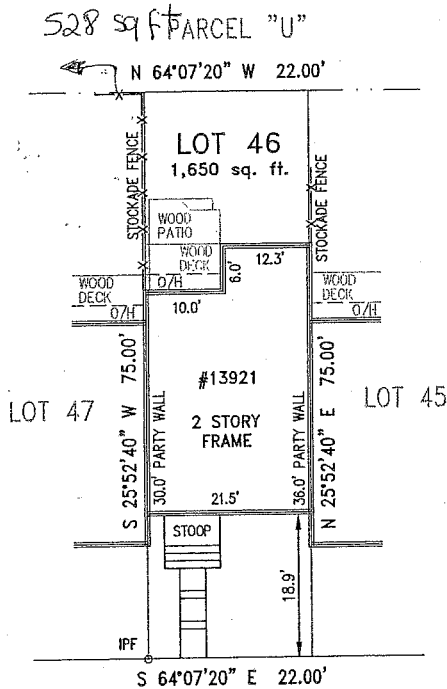
**Universal Title**

7611 Little River Turnpike  
 Suite 201W  
 Annandale, VA 22003

Office: 703 354 2100  
 Fax: 703 658 1630

*Lorena Denny*  
*[Signature]*

05/21/2013



PARCEL "U"  
**WATERFLOW PLACE**  
 (PRIVATE STREET)

I hereby certify that the position of all existing improvements have been carefully located by a transit and/or tape or electronic measuring device and, unless otherwise shown, there are no encroachments. This plat has been provided for a transaction on or about the date of this plat. This certification is limited to the parties of this transaction. This plat is furnished for informational purposes in the issuance of title insurance and is not to be used for any design or construction or to set property corners. The fence locations shown on this plat are approximate and are not certified as to relation to the property boundaries or ownership. The settlement agent has requested this survey pursuant to the terms of a contract of sale or in conjunction with a re-finance of the subject property at the owner's, prospective purchaser's, and/or lender's direction. The settlement agent has requested that only that information required for title insurance purposes be shown and does not certify to the accuracy of any of the information shown hereon. No title report has been furnished. This plat is subject to restrictions and easements of record. Boundary and other site information has been provided by others. o IPF indicates monuments used for location purposes. If no monuments were found the existing improvements were located from the occupation of existing features. Any reproduction of this document that does not bear an original signature is an unauthorized copy and may violate U.S. copyright laws. Unauthorized copies may not be in conformance with current survey requirements under Virginia State law and shall not be used for insurance and/or mortgage underwriting.

The realtor's name and company affiliation are shown for promotional purposes only. Realtors are not responsible for any of the information shown on this plat.



**MARKET REPORTERS**  
**Antonio Cardenas**  
 Broker/Owner

Direct: (703) 819-8791  
 Office: (703) 383-9770  
 Fax: (703) 383-9780

3545 Chain Bridge Rd., Ste. 201, Fairfax, VA 22030  
 marketreporters@aol.com



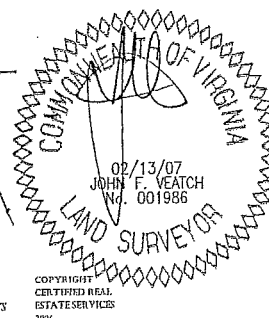
**CRES II, Ltd.**

CERTIFIED REAL ESTATE SERVICES  
 1831 WIEHLE AVENUE, SUITE 105  
 RESTON, VA 20190

OFFICE: 703.742.9105  
 FAX: 703.742.9104

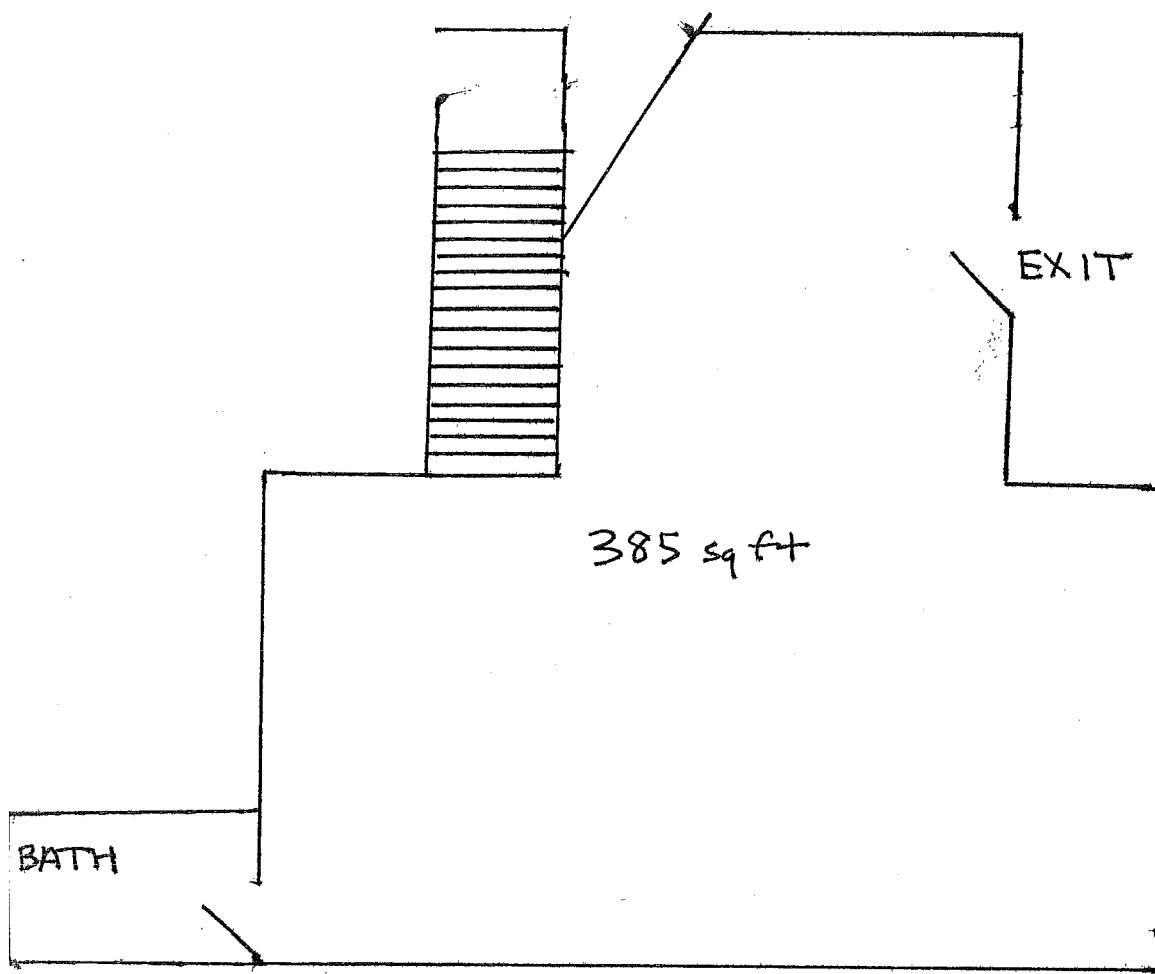


Land Title Survey Specialists for more than 15 years



5.07

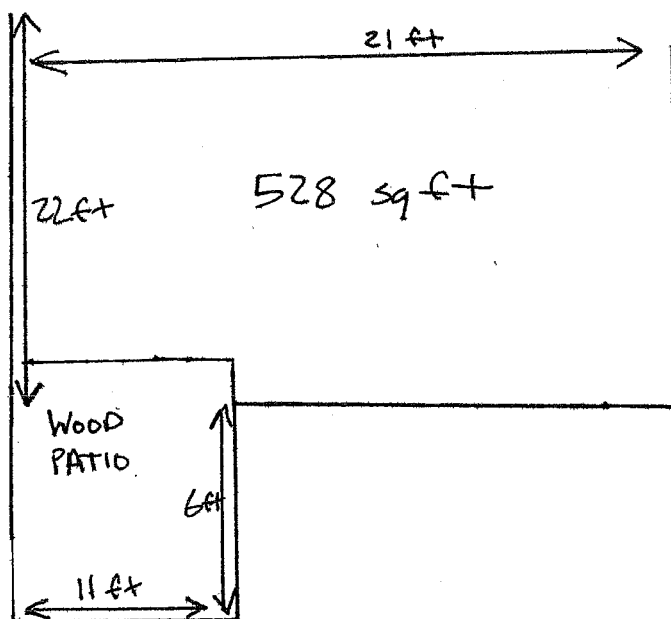
# Daycare Floor Plan.



RECEIVED  
Department of Planning & Zoning  
MAY 21 2013  
Zoning Evaluation Division

7.00

Backyard



RECEIVED  
Department of Planning & Zoning

MAY 21 2013

Zoning Evaluation Division

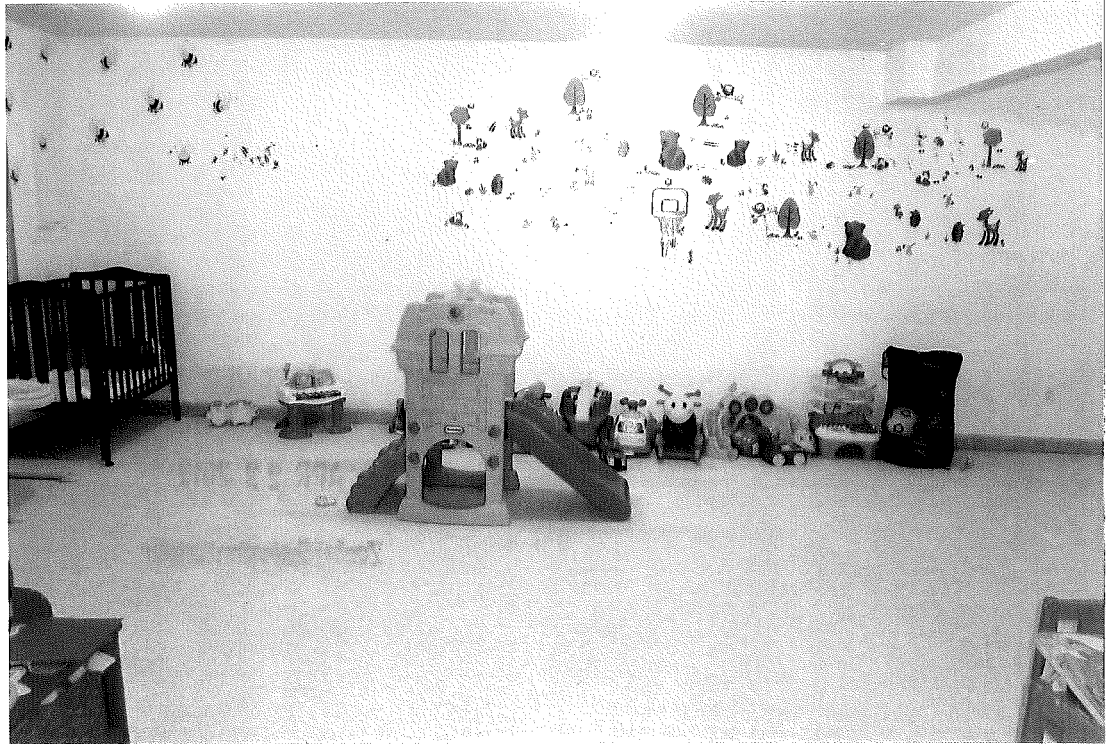














## SPECIAL PERMIT REQUEST

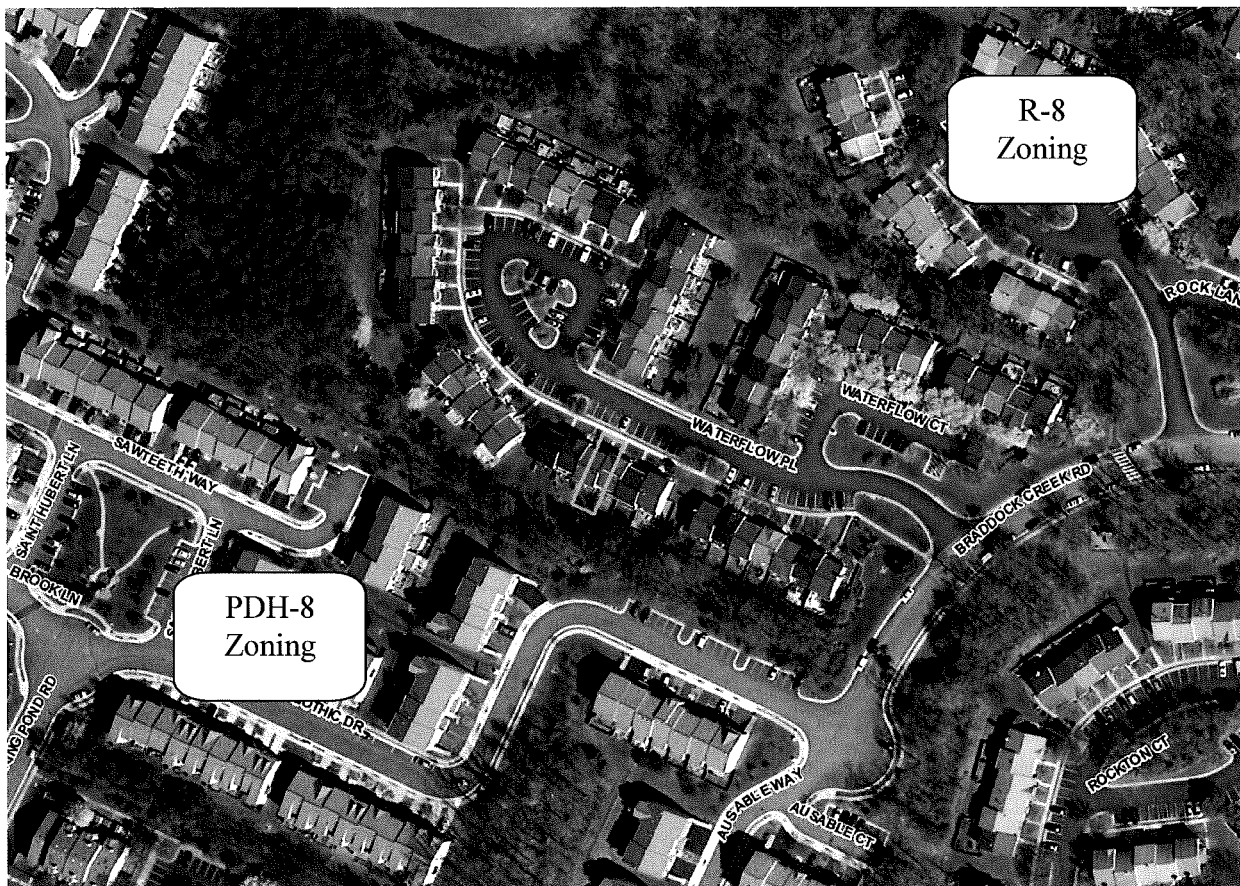
The applicant is seeking approval of a special permit to allow an existing home child care facility, to remain, for a total of up to nine children at any one time in an existing single family attached dwelling.

A copy of the special permit plat titled "Property Report, Lot 46, Section 16, Little Rocky Run" prepared by Universal Title, dated May 21, 2013, as revised by Lorena Dennehy, the applicant, is included at the front of the staff report.

A detailed description of the request is included on Page 2.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The 1,650 square-foot site is located in the Little Rocky Run Subdivision. The lot is zoned R-8. An existing single family attached (townhouse) dwelling is located on the property and consists of approximately 1,436 square feet of above-grade living. Two parking spaces are assigned to, and located in front of, the dwelling. On-street parking is available on Braddock Creek Road.





A wood patio extends off the rear of the dwelling adjacent to a grassed backyard space. The rear yard is partially fenced.

Ingress and egress to the townhouse is provided via a private street, Waterflow Place, which accesses from Braddock Creek Road.

The image on the previous page illustrates the general character of the surround area. Subdivisions surrounding the application property are developed with single family attached dwellings (townhomes.) The townhomes are zoned R-5, R-8 and PDH-8.

## **BACKGROUND**

County Records show that the dwelling was constructed in 1990. The applicant purchased the property in August 2012. The applicant indicates she started the child care facility approximately five years ago at this location, for nine children. The applicant holds a current license, which was valid until September 13, 2013, from the Commonwealth of Virginia, Department of Social Services for a Family Day Home with a capacity of 9 children, aged one month through five years and 11 months.

Following the adoption of the current ordinance, the BZA has heard the following special permits requests in the vicinity of the subject parcel.

Special Permit SP 92-Y-024 was denied on July 22, 1992, for tax map 65-2 ((9))154, zoned R-8, located at 14113 Honey Hill Court for a home child care facility.

## **DESCRIPTION OF THE SPECIAL PERMIT REQUEST**

The applicant is requesting approval of a special permit for a home child care facility for up to nine (9) children, at any one time, between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday. The applicant indicates drop-off is staggered between 7:30 a.m. and 9:30 a.m. and pick-up occurs between 3:00 p.m. and 6:00 p.m. Employees include the applicant, a full-time assistant and one part-time assistant.

The home child care facility is operated in the lower level of the house. The applicant keeps a small refrigerator and microwave in a storage room to heat food for lunch as part of the home child care facility. There is an open grassed backyard area for the children to play in.

The townhome subdivision provides two assigned parking spaces in the front of each townhome. The applicant currently parks her personal vehicle on Braddock Creek Road during the hours the child care facility operates. One assistant also parks her car on Braddock Creek Road and the other assistant walks from within the development. Access to the townhouse parking spaces is provided from Waterflow Place, which connects to Braddock Creek Road. A concrete walkway connects the parking spaces to



SP 2013-SU-040

the front of the dwelling. Adjacent on-street parking is available on Braddock Creek Road.

Since the applicant and one assistant park on street, the two assigned parking spaces in front of the home are available for drop off and pick up of the children. Staff believes which accesses from Braddock Creek Road.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

**Plan Area:** Area III, Bull Run Planning District  
**Planning Sector:** Centreville Community Planning Sector (BR6)  
**Plan Map:** Residential use at 5-8 dwelling units per acre (du/ac)

### **Zoning Ordinance Requirements**

- General Special Permit Standards (Sect. 8-006)
- Group 3 Uses (Sect. 8-303)
- Additional Standards for Home Child Care Facilities (Sect. 8-305)

With adoption of the proposed development conditions, staff believes the application meets all special permit standards of the Zoning Ordinance, which are included as Appendix 4.

## **CONCLUSION AND RECOMMENDATIONS**

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. Staff recommends approval of SP 2013-SU-040.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****October 2, 2013**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-SU-040 located at Tax Map 65-2 ((3)) (16) 46 for a home child care facility pursuant to Section(s) 8-301 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Lorena Dennehy, only and is not transferable without further action of the Board, and is for the location indicated on the application, 13921 Waterflow Place, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Permit (SP) Plat titled "Property Report, Lot 46, Section 16, Little Rocky Run" prepared by Universal Title, dated May 21, 2013, as revised by Lorena Dennehy, the applicant, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:30 a.m. to 6:00 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be nine (9), excluding the applicant's own children.
6. The applicant and assistant(s) shall use on-street parking during the hours of operation of the child care facility.
7. The dwelling that contains the child care facility shall be the primary residence of the applicant.
8. There shall be no signage associated with the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning

Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

## SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 04/18/2013  
 (enter date affidavit is notarized)

I, Lorena S Dennehy, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one) ☒ applicant  
☐ applicant's authorized agent listed in Par. 1(a) below

120787

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS**, and **LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Lorena S. Dennehy, also known of record as Lorena S. Naucaapoma	13921 Waterflow Place Centreville, VA 20121	Applicant/Title Owner
Zachary P. Dennehy	(same)	Title Owner

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
 \*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/18/13  
(enter date affidavit is notarized)

120787

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

N/A

**DESCRIPTION OF CORPORATION:** (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.



Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/18/13  
(enter date affidavit is notarized)

120787

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

N/A

(check if applicable) ☐ The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/18/13  
(enter date affidavit is notarized)

120787

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

→ **EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/18/13  
(enter date affidavit is notarized)

120787

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)**

None

**(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)**

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

**WITNESS the following signature:**

(check one)

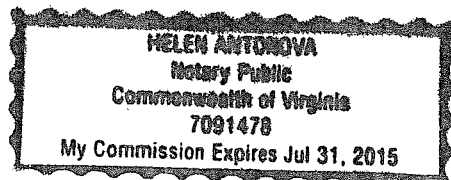
Lorena S Dennehy [Signature]  
☒ Applicant ☐ Applicant's Authorized Agent

Lorena S Dennehy (owner)  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 18 day of April, 2013, in the State/Comm. of Virginia, County/City of Fairfax County

[Signature]  
Notary Public


My commission expires: July 31, 2015



**Special Permit Statement of Justification**

I am applying for a special permit for my State-Licensed Family Day Home (FDH). My hours of operation are from 7:30am-6:00pm Monday through Friday, and I have been in business since March of 2007. I am state-licensed for 9 children. I have 1 full time employee and 1 part-time employee who help me run the daycare and provide what we consider among the highest quality child care in Fairfax County. The impact on traffic is completely non-existent. The times in which the parents drop off their children vary between 7:30am and 9:30am. For pickup, the range is even broader – between 3pm and 6pm. Two of the children are brother and sister and as such are picked up and dropped off together in 1 vehicle.

My husband and I bought this home in 2007 because we considered it a perfect fit for my aspirations of running a home daycare. We care for the children in our spacious walk-out basement which has large windows bringing in tons of sunshine. We also take the children in our backyard to play. Our home is a center unit townhome that includes 2 parking spaces in front of our home, which we leave open for the parents to conveniently park for drop-off and pick-up. All of the children we are working with now are referrals from previous parents whom have thought highly enough of our service to recommend us to their friends. There are no hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations. The daycare is State Licensed and meets all codes and regulations required for licensing. Require special permit approval which would allow us to meet zoning ordinances. Please grant our permit for 9 children.

Sincerely,  
  
Lorena Dennehy

RECEIVED  
Department of Planning & Zoning

APR 22 2013

Zoning Evaluation Division

Item 5.0

1. The proposed daycare use at 13921 Waterflow Pl, Centreville, VA, 20121 shall be in harmony with the adopted comprehensive plan.
2. The proposed daycare use shall be in harmony with the general purpose and intent of the applicable zoning district regulation.
3. No alterations will be made to the home and therefore the proposed daycare will be harmonious with and will not adversely affect the use or development of neighboring properties. The location, size and height of our home, including the fences, will not be altered and are typical to the rest of the homes in the neighborhood, and therefore will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed daycare use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict in any way whatsoever with existing and anticipated traffic in the neighborhood.
5. The proposed daycare use shall adhere to landscaping and screening in accordance with the provisions of Article 13, Landscaping and Screening, in the Zoning Ordinance.
6. Open space shall be provided in an amount equivalent to the specification set by the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the daycare use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. There will be no signs for the daycare.

RECEIVED  
Department of Planning & Zoning

MAY 21 2013

Zoning Evaluation Division

Item 5.05

My husband and I park our cars legally on the street of our block where many other residents of our neighborhood choose to park as well. It has never been an issue for us to find a spot. Parking is plentiful. 1 employee lives in the neighborhood and walks to work – she does not own a vehicle. The other employee is part-time and she comes 3 days per week 9am to 1pm. She parks legally in the street parking.

RECEIVED  
Department of Planning & Zoning

MAY 21 2013

Zoning Evaluation Division



Item 5.06

Nearly all of the parents who utilize our daycare are residents of Centreville, VA. Most of them live within 2 or 3 miles from my home.

RECEIVED  
Department of Planning & Zoning

MAY 21 2013

Zoning Evaluation Division

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-303 Standards for all Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

**8-305**

**Additional Standards for Home Child Care Facilities**

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
  - A. The dimensions, boundary lines and area of the lot or parcel.
  - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
  - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
  - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.